COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: APRIL 08, 2018

FILE NO.: 018-05107-0287-056

C: ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER (KNIFE), 245(C) PC; DEPUTY INVOLVED SHOOTING

V: ROGART, JOHN MW/A
DEPUTY SHERIFF (UNINJURED)

L: [redacted] SOUTH LEONARD AVENUE
EAST LOS ANGELES, CA 90022

D: APRIL 04, 2018 (WEDNESDAY)
1923 HOURS

S: ROBLES, FRANK MH/42
DOB 07-31-1975
BOOKING # 5278289 (IN CUSTODY)

ACTION: ACTIVE/ ADDITIONAL INFORMATION/ ARRIVAL/ SUSPECT FRANK ROBLES HOSPITALIZED/ SUSPECT FRANK ROBLES ARRESTED AND BOOKED/ SUSPECT FRANK ROBLES INTERVIEWED

ARRIVAL

On April 04, at approximately 2100 hours, Investigators John Carlin and Ralph Hernandez responded to [redacted] Leonard Avenue, East Los Angeles (the location) to investigate a deputy involved shooting. When Investigators arrived, they were briefed by East Los Angeles Deputies Steve Miller and Analleli Romo. Deputies told Investigators that East Los Angeles Station received a call for service at the location regarding a man with a knife (tag # 417). The call indicated there was a male Hispanic (later identified as Suspect Frank Robles), about 40 years old, wearing shorts and a plaid shirt, waving a knife. As East Los Angeles Deputies were conducting their coordination of the call, their radio frequency was merged with Parks Bureau Deputies. Deputy John Rogart (the victim) broadcasted on the radio that he was involved in a shooting at the location. Additional deputies responded to the location and assisted with detaining the suspect who was hit by gunfire. The Fire Department responded and transported the suspect to Los Angeles County/USC Medical Center (LAC/USC) for his injuries. For further information refer to reports authored by East Los Angeles Deputy Personnel.

Investigators Brandt House and Gary Sloan, along with Sheriff's Crime Lab personnel, responded to the location and were tasked with the scene investigation. For further, refer to Supplementary reports authored by Investigators House and Sloan and Crime Lab Personnel.

SUSPECT FRANK ROBLES HOSPITALIZED

On April 04, 2018, Suspect Frank Robles was admitted to LAC/USC as a result of his gunshot wounds from the deputy involved shooting. He was in the Intensive Care Unit (ICU) until the medical staff cleared him for booking on April 07, 2018.

SUSPECT FRANK ROBLES ARRESTED AND BOOKED

On April 07, 2018, Parks Bureau Deputy Anthony Deleon arrested Suspect Frank Robles for assault with a deadly weapon on a peace officer, 245 (C) PC at the direction of Homicide Investigators. The suspect was transported to the LAC/USC jail ward where he was booked for 245(C) PC under booking # 5278289. The suspect was also charged with a parole violation, 3056 PC and was given no bail. The arrest was approved by the Parks Bureau Watch Commander, Sergeant Guillermo Veloz.

SUSPECT FRANK ROBLES INTERVIEWED

On April 06, 2018, at approximately 1642 Investigators John Carlin and Ralph Hernandez interviewed Suspect Frank Robles while he was in the hospital for his injuries. The following is a synopsis of the recorded interview:

Investigators told Frank they were there to speak to him about the shooting incident he was involved in and wanted to get his side of the story. Investigator Carlin began to read Frank his Miranda rights and Frank did not respond to his questions about understanding his rights. Frank spontaneously stated "I was minding my business and he shot me." Frank said he did not want to talk and said he was sleepy. Investigators ceased further questioning.

The interview concluded at 1650 hours.

Investigation continues.

BY: INVESTIGATOR JOHN CARLIN #[redacted]
INVESTIGATOR RALPH HERNANDEZ #[redacted]

APPROVED BY: LIEUTENANT JOSE MENDOZA #[redacted]
HOMICIDE BUREAU - DETECTIVE DIVISION

Lt. D. Alfred #[redacted]

4 9 18, 1515 hours

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: APRIL 05, 2018

FILE NO.: 018-05107-0287-056

C: ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER (KNIFE), 245(C) PC; DEPUTY INVOLVED SHOOTING

ACTION: ACTIVE/ ADDITIONAL INFORMATION/ WITNESS [redacted] INTERVIEWED/ WITNESS [redacted] RE-INTERVIEWED

V: ROGART, JOHN MW/A
DEPUTY SHERIFF (UNINJURED)

L: [redacted] SOUTH LEONARD AVENUE
EAST LOS ANGELES, CA 90022

D: APRIL 04, 2018 (WEDNESDAY)
1923 HOURS

S: ROBLES, FRANK MH/42
DOB 07-31-1975 (NOT IN CUSTODY)

WITNESS [redacted] INTERVIEWED

On April 04, 2018, at approximately 2145 hours, Investigators John Carlin and Ralph Hernandez interviewed Witness [redacted] Investigators attempted to record the interview, however the recorder malfunctioned. The following is a synopsis of the interview:

[redacted] said she was inside her home with her two small children and was helping them with a bath. She heard her two dogs barking excessively outside. She went to the side door (faces south) of her home, and opened the door to shut them up. As she stood at the edge of the open door, she looked outside and heard someone yelling commands, to "drop the knife!" She heard the commands about three times. She looked up and saw a deputy sheriff standing on the sidewalk near the front of the driveway to the location. She was only able to see the deputy's chest and above, due to the fence which borders the south side of her property and another fence near the front of her driveway. The deputy had his arms extended in front of him and was pointing a handgun in front of him. She did not see who the deputy was dealing with.

[redacted] then heard about three Gunshots. She said she saw the deputy fire the first shot. She then corralled one of her dogs inside her house and went inside to make sure her children were safe. She went back outside to get her little dog who was still outside

barking. When she came back outside the same door, she heard someone on the other side of the south fence loudly say something like, "I like it" or "it feels good." [redacted] believed the person who said it was the individual that the deputy shot. She said it sounded like that person was enjoying themselves. That made [redacted] believe the person shot was possibly under the influence of drugs. [redacted] never saw that person.

[redacted] took a photograph of the area where she saw the deputy sheriff pointing the gun. She took the photo from the perspective she saw the deputy, at the edge of the door.

The interview concluded at approximately 2200 hours.

WITNESS [redacted] RE-INTERVIEWED

On April 06, 2018, at approximately 0952 Hours, Investigator John Carlin interviewed Witness [redacted] Deputy District Attorney (DDA) Hyunah Suh and District Attorney Investigator (DAI) [redacted] were present during the interview. The following is synopsis of the recorded interview:

[redacted] made substantially the same statements during her initial interview with Investigators on April 04, 2018. DDA Hyunah Suhu asked about the wood fence on the south side of the property and the wood fence near the front of her driveway. [redacted] said both fences are about 6 feet tall. Investigator Carlin noted the east wood fence was atop an approximately 6-8 inch raised concrete slab. DDA Hyunah Suh asked [redacted] where the deputy was in relation to his patrol car. [redacted] said the patrol car was in the street and the deputy was about 6-7 feet east of the patrol car when she saw him pointing his gun.

DAI [redacted] asked [redacted] if she was wearing the same shoes she had on, when she saw the deputy. [redacted] said she was wearing the same shoes. Investigator Carlin noted the shoes [redacted] had on had a sole that was approximately 3-4 inches high. He also noted [redacted] was approximately 5'06"-5'07" tall. [redacted] mentioned when the deputy was yelling commands, she tried to look between the cracks of the wooden planks of her east fence, but she could not see anyone on the other side.

The interview concluded at approximately 1009 hours.

Investigation continues.

BY: INVESTIGATOR JOHN CARLIN #[redacted]
INVESTIGATOR RALPH HERNANDEZ #[redacted]

APPROVED BY: LIEUTENANT JOSE MENDOZA #[redacted]
HOMICIDE BUREAU - DETECTIVE DIVISION

Lt. D. Alfred #[redacted]

4-9-18, 1520 Hours

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: APRIL 09, 2018

FILE NO.: 018-05107-0287-056

C: ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER (KNIFE), 245(C) PC; DEPUTY INVOLVED SHOOTING

V: ROGART, JOHN MW/A
DEPUTY SHERIFF (UNINJURED)

L: [redacted] SOUTH LEONARD AVENUE
EAST LOS ANGELES, CA 90022

D: APRIL 04, 2018 (WEDNESDAY)
1923 HOURS

S: ROBLES, FRANK MH/42
DOB 07-31-1975 (NOT IN CUSTODY)

ACTION: ACTIVE/ ADDITIONAL INFORMATION/ WITNESS [redacted] INTERVIEWED/ WITNESS [redacted] INTERVIEWED/ WITNESS [redacted] INTERVIEWED/ [redacted] AND [redacted] INTERVIEWED/ RE-CANVASS FOR VIDEO

WITNESS [redacted] INTERVIEWED

On April 04, 2018, at approximately 2257 hours, Investigators Ralph Hernandez and John Carlin interviewed Witness [redacted] Also present were Internal Affairs (IA) Investigator Calvin Mah, Deputy District Attorney (DDA) Hyunah Suh, and District Attorney Investigator (DAI) [redacted]. The following is a brief summary of the recorded interview:

Witness [redacted] said that he had just exited his car in his driveway when he saw a male (Suspect Robles) walking on the street. The suspect was stumbling around and appeared to be under the influence of drugs. [redacted] went inside but continued to monitor the suspect to ensure he did not come onto his property. The suspect was holding a 12 inch knife, talking to himself, dancing and acting goofy. He was crossing the street back and forth. He said he saw two males across the street get out of their car and go inside their home.

[redacted] then called 911. He stepped outside and saw the suspect walk into the driveway of the location and to the rear. When a deputy arrived, he flagged him down and alerted him of where the suspect was at. He saw the deputy back up his patrol car and get out. There was a white van parked at the east curb line of Leonard Avenue, just south of the location's driveway. [redacted] explained that the van partially blocked his view of the sidewalk and entrance to the driveway. Nonetheless, he saw the deputy walk into the driveway towards the rear and out of view.

[redacted] then heard the deputy repeatedly say to drop the knife about five to ten times. He saw the deputy emerge from the rear walking backwards on the driveway, and ordering the suspect to drop the knife. He saw the deputy take about ten steps. The deputy pulled out his gun and continued to order the suspect to drop the knife. [redacted] believed that the deputy was also talking into his radio.

[redacted] saw the suspect waving the knife in a slashing motion, as if he was going to attack the deputy. At first, the deputy went out of [redacted] view because of the van. Then the suspect also went out of view due to the van. [redacted] then heard two gunshots. He did not believe that the deputy made it back to his patrol car because he would have seen that. Other deputies arrived and ordered the suspect to drop the knife as the suspect was still moving around on the ground and screaming in agony. [redacted] tried to get closer and more deputies arrived on scene.

[redacted] said that as the deputy was walking backwards away from the suspect, the distance between them was about the length of the table in the interview room. The length was approximated to be six feet.

The interview was terminated at approximately 2328 hours.

Photos were later taken by Crime Lab personnel at the direction of Witness [redacted] showing his perspective of the incident.

WITNESS [redacted] INTERVIEWED

On April 04, 2018, at approximately 2352 hours, Investigators Ralph Hernandez and John Carlin interviewed Witness [redacted] The interview was conducted in Spanish by Investigator Hernandez. Also present were IA Investigator Calvin Mah, DDA Hyunah Suh, and DAI [redacted] The following is a brief summary of the recorded interview:

Witness [redacted] said that he was with his friend Witness [redacted] and they were both sitting on the bed of [redacted] pick-up truck. The truck was parked at the northeast corner of the location's rear parking area. As they sat there, they were facing the driveway out to the street. [redacted] saw a male Hispanic (Suspect Robles) approach them from the street. Suspect Robles was holding a large knife that [redacted] described as having a 10 inch long blade, plus a black handle. The suspect appeared to be angry and saying things in English. [redacted] does not speak or understand much English. Suspect Robles was waving the knife in the air and came close to [redacted] and [redacted] [redacted] was fearful of getting stabbed.

Suspect Robles then walked southwest away from the pick-up truck and was walking in circles. The suspect then stood at the northeast corner of the apartment building next to the rear staircase. He was peeking down the driveway out toward the street. [redacted] saw a police patrol car arrive southbound on Leonard Avenue, pass the location slightly but then reverse back northbound and stop in front of the driveway. He saw a deputy exit the vehicle, and [redacted] was trying to point out the suspect to the deputy without the suspect knowing what he was doing.

As the deputy was walking down the driveway, [redacted] decided to walk away from the situation. He walked westbound down the driveway and walked past the deputy. When [redacted] looked back, he saw Suspect Robles walking toward the deputy at a normal pace. The suspect was saying things in English to the deputy. At that point, [redacted] was unsure where the suspect had the knife. He also heard the deputy telling the suspect back in English something to the effect of calm down or stop. The deputy was also pointing his gun at the suspect. [redacted] continued to the sidewalk and went southbound to the front of the location. As he did, he heard two gunshots. When he looked back, he saw that the deputy had shot the suspect. He saw the suspect was lying on the driveway right where it meets the sidewalk. [redacted] explained that the closest he saw the suspect get to the deputy was about 5 to 6 feet. However, [redacted] did not see the distance at the time of the shooting as he was already at the front of the location. He did not see anything else after the shooting.

Witness [redacted] described the suspect as a male Hispanic, 40-45 years old, about 5'06", heavy set, bald, and wearing grey shirt, and grey either pants or long shorts.

The interview was terminated on April 05, 2018, at approximately 0018 hours.

WITNESS [redacted] INTERVIEWED

On April 05, 2018, at approximately 0019 hours, Investigators interviewed Witness [redacted]. The interview was conducted in Spanish by Investigator Hernandez. Also present were IA Investigator Calvin Mah, DDA Hyunah Suh, and DAI [redacted] The following is a brief summary of the recorded interview:

Witness [redacted] said that he was with his friend Witness [redacted] and they were both sitting on the bed of [redacted] pick-up truck. The truck was parked at the northeast corner of the location's rear parking area. As they sat there, [redacted] saw a male Hispanic (Suspect Robles) approach them from the street. Suspect Robles was holding a large knife that [redacted] described as having an 8 to 9 inch long blade. The suspect was waving the knife in the air, as if he was slashing something. The suspect got within 5 feet of them. He was saying things to them in English. [redacted] does not understand English. The suspect appeared to be looking for someone and under the influence of drugs, which [redacted] described as the suspect appearing spooked with an accelerated demeanor.

Suspect Robles then walked southwest away from the pick-up truck and was walking around aimlessly at the rear of the location. When the deputy arrived, [redacted] walked toward the deputy in the driveway, and [redacted] walked toward the rear staircase. [redacted] saw Suspect Robles walk out toward the driveway hiding the knife behind his back with his right hand. [redacted] then heard [redacted] tell the deputy in Spanish to be careful and that the suspect had a knife.

[redacted] was halfway up the stairs when he heard gunshots. He said he heard the deputy yell something in English about 2 to 3 times just prior to the shooting. He did not see how close the suspect had gotten to the deputy. He also never came back out.

Witness [redacted] described the suspect as a male Hispanic, 25-30 years old, about 5'06", average build, possibly bald, and wearing a blue tee shirt.

The interview was terminated at about 0040 hours.



[redacted] AND [redacted] INTERVIEWED

On April 06, 2018, Investigators interviewed [redacted] and [redacted] on Leonard Avenue. They both told Investigators that they were not home during the incident. However, they explained that since three days prior, there had been a knife laying on the parkway grass. At some point, someone had apparently pushed it over onto the street. [redacted] recalled seeing the knife as she was leaving on the day of this incident. The next day, the knife was no longer there. They described it as a ten inch knife with a dark handle that had burn marks on it. They believed that it had been discarded when a neighbor moved out. Investigators believe that this could have been the knife seized from Suspect Robles.

RE-CANVASS FOR VIDEO

On April 06, 2018, Investigators re-canvassed the area for surveillance video of the incident. None was located.

Investigation continues.

BY: INVESTIGATOR RALPH HERNANDEZ #[redacted]
INVESTIGATOR JOHN CARLIN #[redacted]

APPROVED BY: LIEUTENANT JOSE MENDOZA #[redacted]
HOMICIDE BUREAU - DETECTIVE DIVISION

Lt. D. Alfred #[redacted]

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: APRIL 05, 2018

FILE NO.: 018-05107-0287-056

C: ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER (KNIFE), 245(C) PC; DEPUTY INVOLVED SHOOTING

ACTION: ACTIVE/ ADDITIONAL INFORMATION/ DEPUTY JOHN ROGART INTERVIEWED/ DEPUTY JOHN ROGART'S DUTY WEAPON EXAMINED

V: ROGART, JOHN MW/A
DEPUTY SHERIFF (UNINJURED)

L: [redacted] SOUTH LEONARD AVENUE
EAST LOS ANGELES 90022

D: APRIL 04, 2018 (WEDNESDAY)
1923 HOURS

S: ROBLES, FRANK MH/42
DOB 07-31-1975 (NOT IN CUSTODY)

DEPUTY JOHN ROGART INTERVIEWED

On April 05, 2018, at approximately 0057 hours, Investigators John Carlin and Ralph Hernandez interviewed Deputy John Rogart. Attorney Steven Welch was also present at Rogart's request. The following is a synopsis of the recorded interview:

Deputy Rogart said he has been a deputy sheriff since 2012. Prior to that he was a [redacted] for [redacted] He is currently assigned to patrol at Parks Bureau East. On April 04, 2018, he was assigned to unit 833E1 on PM shift and his hours were from [redacted] His patrol area consisted of the parks in the East Los Angeles area.

Deputy Rogart told Investigators he had just left Saybrook Park at 6208 Northside Drive in East Los Angeles. He then travelled west on an unknown street and ended up on Leonard Avenue. While Rogart was southbound on Leonard Avenue, he was flagged down by a male Hispanic (Investigators believed him to be Witness [redacted] who was holding a cell phone. The male told him that he had called the police. The male pointed in the direction of the location and said "there is a guy over there," twice. Rogart backed his patrol car and looked down the driveway of the location. He saw two male Hispanics (Investigators believed to be Witnesses [redacted] and [redacted]

sitting in the bed of a pick up truck near the end of the driveway. The truck was parked facing east. The two males waved for Rogart to come to where they were and pointed in the direction of the rear of the location. Both males appeared afraid. Rogart exited his patrol vehicle to see if the two males were okay. Also, to see if anyone needed medical help or if someone was in trouble. He walked down the driveway toward the two males in the truck. At that point, Rogart heard someone say "cholo, knife" in English. He is not sure who said it. All of a sudden, the suspect stepped out from behind the location and onto the driveway. The suspect had an approximate 12 inch knife in his left hand. The suspect held the knife behind his own back as he walked toward Rogart. The suspect then waved the knife in a side to side motion in Rogart's direction. Rogart said the suspect told him "fuck you. Get out of my way. I'm gonna fuck you up."

Deputy Rogart said the suspect continued to advance toward him and Rogart walked backwards to create distance from the suspect. He did not see any tactical cover around him. Rogart un-holstered his duty weapon and pointed it at the suspect. He yelled at the suspect 4-5 times to drop the knife. The suspect did not comply and continued to advance at him. Rogart requested emergency clearance on his portable radio and broadcasted that he was detaining the suspect at gunpoint and requested other Sheriff's units to the location.

Deputy Rogart saw the two males that were in the truck had ran down the driveway passed him (Rogart), but he did not see where they went.

Deputy Rogart again ordered the suspect to drop the knife and the suspect positioned the knife outward with the tip of the blade pointed at him (Rogart). Rogart said he was scared and felt the suspect was going to stab him. He said the way the suspect looked at him with a blank stare, the fact he pointed the knife at him, the statements the suspect made to him and the fact the suspect advanced toward him faster added to Rogart's fear of being assaulted. Rogart said at the time he also thought the suspect may have already stabbed another person in the rear of the location and could possibly stab someone on the street.

Deputy Rogart continued telling Investigators what transpired. He said he then fired two rounds from his duty weapon at the suspect and the suspect fell to the ground. He believed the suspect dropped the knife before he (the suspect) fell to the ground. As the suspect was on the ground, he asked Rogart, "Why did you do that to me?" and then began to moan. Rogart gave the suspect verbal commands to roll over and put his hands behind his back, but the suspect did not comply. Rogart then broadcasted on his portable radio that he was involved in a shooting and shortly thereafter other Sheriff's units arrived. Rogart said when other deputies arrived, he gave the suspect more verbal commands to put his hands behind his back, and the suspect complied. He, along with other deputies, handcuffed and rendered aid to the suspect.

Deputy Rogart told Investigators the suspect had a blank stare, rapid speech, appeared hyperactive and was sweating profusely. He believed the suspect was under the influence of a controlled substance (stimulant). He said the suspect also looked like a gang member. He saw he had tattoos on his head and neck. He recalled the suspect had [redacted] tattooed on the front of his head. Rogart said he knew this meant he was possibly associated with the Mexican Mafia. The suspect was also wearing a baggie shirt and shorts.

Deputy Rogart mentioned to Investigators that he recalled a training video he watched in the past. The video was titled, "The 21 foot rule." The video was about deputies dealing with suspects armed with edged weapons. He said the video taught him that suspects with a knife could reach out and stab or kill him in a couple of seconds, faster than he could draw his duty weapon and shoot. Rogart said when the shooting occurred, he (Rogart) was standing about four feet [redacted] of the [redacted] sidewalk of Leonard Avenue. He said the suspect was about six feet away (east) from him on the driveway of the location and slightly to his right (south).

Investigator Carlin asked Deputy Rogart if he was aware of any call at the location and he said no. Rogart explained that as a Parks Bureau unit, he was on the SCC access channel and had to be merged with the East Los Angeles Station frequency when he requested assistance.

Investigator Hernandez drew a sketch of the scene on a piece of paper. Deputy Rogart indicated on the sketch where he and the suspect were when the shooting occurred.

The interview concluded at approximately 0118 hours.

DEPUTY JOHN ROGART'S DUTY WEAPON EXAMINED

On April 05, 2018, at approximately 0121 hours, Investigators John Carlin and Ralph Hernandez examined Deputy John Rogart's duty weapon in the presence of his Attorney, Steven Welch. Investigators seized Rogart's duty weapon, magazines and conducted a count of his remaining cartridges. The examination of Rogart's duty weapon was audio recorded.

Deputy Rogart carried a Smith and Wesson M&P semi-automatic pistol chambered in 9mm caliber, inside his duty holster. He also carried a Smith and Wesson 2 inch revolver, chambered in 38 caliber, as a back-up weapon.

Investigator Hernandez rendered Rogart's M&P pistol safe. Investigators saw the gun had a Surefire flashlight affixed below the front frame area. There was one 9mm caliber cartridge in the chamber. Investigators removed the inserted magazine and counted



fifteen 9mm caliber cartridges. Two of the cartridges were head stamped "WIN 9mm Luger" and fourteen were "FC 9mm Luger."

Rogart told Investigators he carried four extra magazines on his person. Investigators counted those rounds as well. Rogart had a magazine pouch on the front of his gun belt with two magazines inside, both loaded with seventeen 9mm cartridges. He also had a pouch on the rear of his gun belt with two magazines inside, both loaded with seventeen 9mm cartridges.

Deputy Rogart said he normally loads all of his magazines at full capacity with seventeen 9mm cartridges.

Investigator Hernandez counted five 38 caliber cartridges inside the cylinder of his Smith and Wesson Revolver.

Investigators seized Rogart's Smith and Wesson M&P pistol, along with the inserted magazine and all of the 9mm cartridges that were inside the pistol. Forensic Identification Specialist David Alonso retained those items and transported them to the Crime Lab for further examination.

The exam concluded at approximately 0127 hours.

Investigation continues.

BY: INVESTIGATOR JOHN CARLIN #[redacted]
INVESTIGATOR RALPH HERNANDEZ #[redacted]

APPROVED BY: LIEUTENANT JOSE MENDOZA #[redacted]
HOMICIDE BUREAU - DETECTIVE DIVISION

Lt. D. Alfred #[redacted]
4-5-18 1542 hours

